

STATE OF INDIANA
INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER PETITION OF INDIANA)	
BELL TELEPHONE COMPANY, INCORPORATED,)	
D/B/A AMERITECH INDIANA PURSUANT TO)	CAUSE NO. 41657
I.C. 8-1-2-61 FOR A THREE-PHASE PROCESS FOR)	
COMMISSION REVIEW OF VARIOUS)	
SUBMISSIONS OF AMERITECH INDIANA TO)	
SHOW COMPLIANCE WITH SECTION 271(C) OF)	
THE TELECOMMUNICATIONS ACT OF 1996)	

and

IN THE MATTER OF THE COMMISSION'S)	
GENERIC INVESTIGATION OF INCUMBENT)	CAUSE NO. 41324
LOCAL EXCHANGE CARRIER'S PROVISION)	
OF OPERATING SUPPORT SYSTEMS ("OSS"))	

AT&T'S COMMENTS

AT&T Communications of Indiana, Inc. ("AT&T"), on behalf of itself and its affiliate TCG Indianapolis, hereby submits the following responses to the questions posed by the Indiana Utility Regulatory Commission ("Commission") in its May 26, 2000 Docket Entry made in these Causes.

Question #1: Should The Commission Transfer to Cause No. 41657 Consideration Of The Ameritech Indiana Baseline OSS Performance Measurements Which Are Being Developed in Phase 2 of Cause No. 41324?

Ameritech Indiana's obligation to provide non-discriminatory access to its OSS is not conditioned on a 271 application. Ameritech Indiana's obligation to interconnect with competitors without discrimination arises out of Section 251(c)(2) of the Telecommunications

Act of 1996 (“Act”).¹ Section 251 addresses interconnection obligations. Section 271 of the Act, however, provides the prerequisites that need to be met in order for Ameritech Indiana and other Regional Bell Operating Companies to provide in-region interLATA telephone services. While Section 271(c)(2)(i) incorporates Section 251(c)(2)’s interconnection obligations, the interconnection obligations are in effect prior to any Section 271 application being filed. In other words, Ameritech Indiana **today** has to provide nondiscriminatory interconnection to competitive local exchange carriers, regardless of its Section 271 aspirations.

Transferring the issue of the proper OSS performance measurements for Ameritech Indiana from Cause No. 41324 to Cause No. 41657 may be appropriate as long as it does not result in any delay in addressing this vital competitive issue. Ameritech Indiana’s preexisting obligations to implement the necessary performance measurements to determine if its OSS can support broad competitive entry in Indiana should not, however, be transferred to Cause No. 41657 if it means competition is delayed.

AT&T does not oppose the idea of addressing performance measurements in an efficient manner. AT&T fully supports the need to examine performance measurements and associated issues like remedy plans in only one case. In order for Cause No. 41657 to obtain the benefits of Cause No. 41324, AT&T recommends that the Commission, in Cause No. 41657, take administrative notice of the evidence presented so far in Cause No. 41324.

Given the significant resources likely to be devoted to further negotiations, and the ongoing nature of similar negotiations between ILECs and CLECs in numerous other states, AT&T agrees with Sprint, Time Warner and McLeod USA that the limited resources of all parties would be applied more efficiently by addressing performance measurement negotiations with the Indiana ILECs on a serial, rather than parallel, basis. Substantial efficiencies could be

¹ See, 47 U.S.C. §251(c)(2)(1996).

gained by drawing on the work product of performance measurement negotiations in other states, especially those in which partial or substantial agreement had been reached.

In order to facilitate the overall performance measurement initiative, as well as to use the limited resources of the various parties including Ameritech Indiana, CLECs and the commission staffs more efficiently, AT&T, like sprint, Time Warner and McLeod USA, believes that the technical portion of performance measurements should be addressed in regional technical workshops. Pseudo-regional technical workshops (with individual measurements divided-up) are already underway in Illinois and Ohio. The sole purpose of the regional technical workshop would be to complete a comprehensive measurement-by-measurement review, identifying the areas where agreement can be reached and where agreement cannot be reached. The Commission will not relinquish any authority over the process, and all unresolved issues, including development of an Indiana-specific remedy plan, will be brought before the Commission for resolution.

Question #2: In Addition To Carrier-To-Carrier Performance Measures, Are There Any Other Issues That Are Currently Being Discussed In Phase 2 Of Cause No. 41324 Which Should Be Transferred To Cause No. 41657?

The remaining outstanding issues identified in the Status Report following the March 13-14 workshops should remain in Cause No. 41324 if transferring them could lead to delay.

Question #3: If The Commission Transfers Ameritech Indiana To Cause No. 41657, What Impact, If Any, Will This Have On Cause No. 41324?

As stated above, AT&T recommends against this course of action. If, however, the Commission decides to transfer Ameritech Indiana's OSS and performance measurements issues

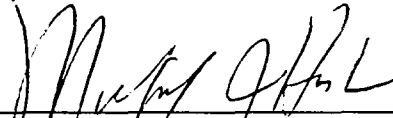
to Cause No. 41657, AT&T agrees with Sprint, Time Warner and McLeod USA that the Commission stay Phase 2 of Cause 41324 regarding Sprint and GTE until such time as a CLEC desires to reconvene the discussions. Both companies have been reporting performance measurements results since June, 1999, pursuant to the Commission's May 21, 1999 Order and both companies have committed to full comprehensive performance measurement reporting as part of the stipulated interim agreement that was approved by the Commission on February 16, 2000.

Question #4: If the Commission Transfers Consideration Of The OSS Performance Measures From Cause No. 41324 to Cause No. 41657, Would It Be Possible For The Commission To Consider OSS Cost-Recovery For Ameritech Indiana in Phase 3 of Cause No. 41324?

OSS cost recovery – the extent that the issue even exists anymore² -- would be better addressed as part of company's individual unbundled network element ("UNE") cost proceedings.

Respectfully submitted,

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and

² It is the understanding of AT&T, based upon extensive collaboratives addressing OSS third party testing held in other states, that Ameritech is not seeking any reimbursement of its costs. The issue, then, is likely moot in Indiana.

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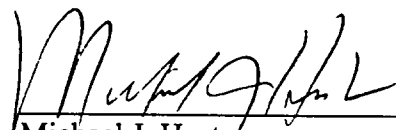
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